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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/042,101

01/07/2002

Brian David Barrick

AUS920010810US1

6877

7590

10/03/2003

EXAMINER

DO, THUAN V

Gregory W. Carr
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ART UNIT

PAPER NUMBER

2825

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,101

Applicant(s)

BARRICK ET AL.

Examiner

Thuan Do

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is non-final office action responsive to the amendment entered 08/25/03. Claims 1-16 are pending in this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being unpatentable over Vaughn, Pub. No. 20010038612 .

Regarding claim 1: Vaughn teaches a method comprising:

grouping timing paths that share common characteristics (paragraph [0003] and paragraph [0124]);

creating a list file containing the timing paths (paragraph [0010]) ;

searching a timing report for timing paths that match the timing paths in the list file (paragraph [0006]);

generating a first summary report on the timing paths in the input list, the first summary report listing the status of the timing paths (paragraph [0112]); and

determining whether there are new timing path(s) not found in the input list (paragraph [0006] using “no available route remains” for determining).

Regarding claim 2: This claim teaches the same method of claim 1 and rejected in the same manner except :

generating a second summary report on new timing path(s), if there are new timing paths (paragraph [0006]); and

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repeating the steps until all negative timing paths are identified (paragraph [0006]).

Regarding claim 3: Vaughn teaches a method with unique timing paths (paragraph [0063]).

Regarding claim 4: This claim teaches the same method of claim 1 and rejected in the same manner except :

wherein, in the step of grouping timing paths that share common characteristics, wild cards are used to group the timing paths

Regarding claim 5: Vaughn teaches a method with a path table (paragraph [0050]).

Regarding claim 6: Vaughn teaches a method with numbers (Figure 14F).

Regarding claim 7: This claim teaches a computer program similar to the method of claim 1 and rejected in the same manner.

Regarding claim 10: This claim teaches a computer program product similar to the method of claim 1 and rejected in the same manner except :

computer program code for generating a path table from the timing paths contained in the list file (paragraph [0050]) ; and

computer program code for updating the path table when a match is found between a timing path in the timing report file and a timing path in the list file (paragraphs [0184] and [0186] and their corresponding figures).

Regarding claim 11: This claim teaches an apparatus for the method of claim 1 and rejected in the same manner.

Regarding claim 12: This claim teaches an apparatus for the method of claims 1 and 2 and rejected in the same manner.

Regarding claim 14: This claim teaches the apparatus for claim 4 and rejected in the same manner.

Regarding claims 8,9,13,15,16: These claims teach the well known features for their independent claims and rejected in the similar manner.

Respons to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

CONTACT INFORMATION

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Do whose telephone number is 703-305-2362. The examiner can normally be reached on Monday-Friday 8:30-5:30 (except 2nd Fridays).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 703-308-1323. The fax phone numbers for the organization where this application or proceeding is assigned are 703305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0596.



Thuan Do
Patent examiner
9/17/03